

State of South Dakota

EIGHTY-EIGHTH SESSION LEGISLATIVE ASSEMBLY, 2013

392U0481

HOUSE BILL NO. 1141

Introduced by: Representatives Peterson, Hansen, Kopp, Mickelson, Nelson, Qualm, Romkema, Schrempp, and Verchio and Senators Ewing, Frerichs, Johnston, Kirkeby, and Rhoden

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding certain motor vehicle
2 dealer license plates and permits.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-9-59 be amended to read as follows:

5 32-9-59. Any new or used vehicle owned by a licensed vehicle dealer, bearing a dealer's 88
6 license plate issued pursuant to the provisions of §§ 32-6B-22.1 and 32-6B-22.2 may operate
7 such vehicle for the licensed dealership as a motor carrier or any prospective buyer may operate
8 such vehicle as a motor carrier for demonstration purposes for a period of three days, in
9 accordance with the provisions of § 32-6B-25 under the following conditions:

10 (1) The motor vehicle shall comply with all provisions of this chapter pertaining to
11 overweight operation;

12 (2) The ~~maximum~~ actual gross weight of the vehicle and load does not exceed the
13 licensed gross weight ~~may not exceed twenty-six thousand pounds~~; and

14 (3) The gross weight tonnage fees shall be paid pursuant to § 32-9-15 with the tonnage



1 sticker affixed to the 88 plate prior to operation as a motor carrier.

2 If a used or new vehicle dealer permits the use by a prospective buyer, pursuant to this
3 section, a vehicle bearing the dealer's 88 license plate, the dealer shall maintain a log detailing
4 the use. The log shall include the name and address of the prospective buyer, the dates of use,
5 and the description of the vehicle including the vehicle identification number, make, and model.
6 This log shall be available for inspection, during normal business hours, by any law enforcement
7 officer or dealer inspector appointed by the department.

8 Any violation of this section is a ~~class 2~~ Class 2 misdemeanor.

9 Section 2. That § 32-6B-31 be repealed.

10 ~~— 32-6B-31. The department shall issue to dealers licensed under this chapter, a master~~
11 ~~demonstration commercial license permit in lieu of commercial fees for the unusual use of the~~
12 ~~highways, as provided for in chapter 32-9. A permit shall be furnished upon application required~~
13 ~~by the department and the payment of a fee of fifty dollars. All such fees shall be deposited in~~
14 ~~the state motor vehicle fund. The permit shall expire on the thirtieth day of June each year. The~~
15 ~~department may withdraw a master demonstration commercial license permit for any violation~~
16 ~~of the provisions of this chapter.~~

17 Section 3. That § 32-6B-32 be repealed.

18 ~~— 32-6B-32. Any vehicle which is otherwise required to pay commercial license fees for the~~
19 ~~unusual use of the highways may be operated for the purpose of demonstration and potential~~
20 ~~sale on occasional demonstration trips over the highways of this state if the driver is in~~
21 ~~possession of an individual trip permit plainly describing the vehicle, specifying the route to be~~
22 ~~traveled from starting point to destination, approximate time of departure, approximate time of~~
23 ~~arrival at destination, the merchandise being transported, the name of the company or individual~~
24 ~~for whom the demonstration is being made, and the name of the holder of the master permit.~~

1 Section 4. That § 32-6B-33 be repealed.

2 ~~32-6B-33. The Department of Revenue shall provide for the publication, sale, and delivery~~
3 ~~of books containing single trip permits authorized by § 32-6B-32. The department, pursuant to~~
4 ~~chapter 1-26, may promulgate rules to provide for the issuance of such permits and to set the~~
5 ~~fee for those permits.~~